

SHARTSIS FRIESE LLP  
ONE MARITIME PLAZA  
EIGHTEENTH FLOOR  
SAN FRANCISCO, CA 94111

SHARTSIS FRIESE LLP  
JAMES P. MARTIN (Bar #170044)  
jmartin@sflaw.com  
JOSEPH V. MAUCH (Bar #253693)  
jmauch@sflaw.com  
One Maritime Plaza, Eighteenth Floor  
San Francisco, CA 94111  
Telephone: (415) 421-6500  
Facsimile: (415) 421-2922

Attorneys for Plaintiff  
CLAMP-SWING PRICING COMPANY

SENNIGER POWERS LLP  
Marc W. Vander Tuig *admitted pro hac vice*  
mvandertuig@senniger.com  
Robert M. Evans, Jr. *admitted pro hac vice*  
revans@senniger.com  
100 North Broadway, 17th Floor  
St. Louis, MO 63102  
(314) 345-7019  
(314) 345-7600 (fax)

SCHIFF HARDIN LLP  
Duane H. Mathiowetz  
dmathiowetz@schiffhardin.com  
One Market, Spear Street Tower, 32nd Floor  
San Francisco, CA 94105  
(415) 901-8645  
(415) 901-8701 (fax)

Attorneys for Defendant  
SUPER MARKET MERCHANDISING AND  
SUPPLY, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

CLAMP-SWING PRICING COMPANY,  
  
Plaintiff,  
  
v.  
  
SUPER MARKET MERCHANDISING  
AND SUPPLY, INC.,  
  
Defendant.

Case No. CV-12-02445 JST

**~~PROPOSED~~ ORDER REGARDING  
CLAIM CONSTRUCTION  
PROCEEDINGS**

Dept: Courtroom 9, 19th Floor  
Judge: Hon. Jon S. Tigar

Plaintiff Clamp-Swing Company (“CSP”) has alleged infringement of Claims 1-8, 13-15, and 18 of U.S. Patent No. 6,530,166 (the “’166 Patent”), and Claims 24-25, 38-40, and 42-43 of U.S. Patent No. 8,220,189 (the “’189 Patent”) (collectively, the “Patents-in-Suit”). The Parties submitted a Joint Claim Construction and Prehearing Statement [Docket No. 39] on February 14, 2013, identifying five terms for construction. A Claim Construction hearing was set for July 9, 2013, with opening claim construction briefing to be submitted on June 6, 2013.


The Court hereby adopts the following agreed-upon constructions as its Claim Construction Order in this case:

Patent and Claim No.	Claim Term	Claim Construction
’166 Patent, Claims 1, 2, 7, 13, 18	<b>tabs</b>	<i>No construction necessary.</i>
’166 Patent, Claims 1, 2, 13, 18 ’189 Patent, Claims 24, 39, 40	<b>C-shaped extremity</b>	a coupling element on the end of the stem that has the shape of the letter “C” when viewed from the side
’166 Patent, Claims 7, 8 ’189 Patent, Claims 38, 42	<b>C-shaped receiving element</b>	a receptacle on the base that has the shape of the letter “C” when viewed from the side
’166 Patent, Claim 13	<b>configured to be releasably retained</b>	<i>No construction necessary.</i>
’166 Patent, Claims 2, 18	<b>ridge sized to fit within said gap</b>	<i>No construction necessary.</i>

The Claim Construction hearing, currently set for July 9, 2013, is vacated from the Court’s calendar, along with all dates relating to claim construction briefing.

**IT IS SO ORDERED**

June 6, 2013

  
Honorable Jon S. Tiger  
United States District Judge

8499\001\1901976.1